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June 27, 2023

VIA ECF

Honorable Lorna G. Schofield
United States District Judge
United States Courthouse
40 Foley Square
New York, New York 10007

Re: *Catherine McKoy, et al. v. Trump Corp., et al.*
No. 18-cv-9936 (LGS) (SLC)

Dear Judge Schofield:

I am co-counsel for defendants. I write to state Defendants' position with respect to sealing for portions of Defendants' reply memorandum of law in support of their motion for summary judgment.

Defendants' reply memorandum of law contains extensive references to deposition transcripts from this case of parties and non-parties and document production from Defendants and non-party ACN, Inc. ("ACN") that has been marked confidential – including exhibit 24 to the declaration of Matthew Brinckerhoff in support of Plaintiffs' motion for class certification - and that mandates sealing based on the designations as confidential pursuant to the protective order herein. It remains the case that Defendants are not in a position to speak on behalf of ACN to relinquish that protection. Additionally, reference is made in the memorandum of law to the opinions of several experts which are based on the same confidential and proprietary information. Accordingly, Defendants have redacted certain content of the reply memorandum of law and respectfully request that the Court sustain those redactions for the publicly filed version of this submission. References thereto will be redacted.

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Thank you for your attention to this matter.

Respectfully,

/s/ Peter T. Shapiro

Peter T. Shapiro of
LEWIS BRISBOIS BISGAARD & SMITH LLP

cc: All Counsel of Record (via ECF)